

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2006-327-WS - ORDER NO. 2009-106
FEBRUARY 17, 2009

IN RE: Petition of the Office of Regulatory Staff) ORDER APPROVING
 Regarding Wyboo Plantation Utilities, Inc.'s) SETTLEMENT
 Collection and Charging of Unauthorized and) AGREEMENT
 Unapproved Rates)

I. INTRODUCTION

This matter comes before the Public Service Commission of South Carolina (the “Commission”) on the Petition of the Office of Regulatory Staff (“ORS”) regarding the collection and charging of unauthorized and unapproved rates by Wyboo Plantation Utilities, Inc., (hereinafter referred to as “Wyboo” or the “Company”). The Petition was filed on October 20, 2006, pursuant to 26 S.C. Code Ann. Regs. 103-502.11, 103-503, 103-702.14, and 103-703¹ and S.C. Code Ann. § 58-5-210 (1976). ORS amended its Petition on December 28, 2006, seeking: (1) the opportunity to present evidence to support the claim that certain unapproved fees were assessed by Wyboo; (2) a requirement that customers of Wyboo be notified of the pending action; (3) that Wyboo submit an Answer to the Petition; (4) that the customer bills be adjusted pursuant to Commission Regulations 103-533 and 103-733; and (5) for any other action or relief deemed necessary by the Commission.

¹ Subsequent to the filing of the Petition and Amended Petition, the Commission revised its water and sewer regulations. As revised, the applicable regulations are 103-502.8, 103.502.10, 103-503, 103-702.12, 103-702.13 and 103-703.

Wyboo is a public utility, as defined by S.C. Code Ann. §58-5-10(4) (Supp. 2007), providing water and sewer service to the public for compensation in Clarendon and Sumter counties, South Carolina, as approved by the Commission in Docket Nos. 96-227-W, 97-391-S, and 2002-356-W. Wyboo filed a Response to ORS's Petition on February 16, 2007, and filed a Motion for Approval of Water Tap Fee to Conform to Existing Rate, Nunc Pro Tunc on November 7, 2008. Notice of the action brought by ORS was provided by First Class mail on August 29, 2008. The ORS brought this action pursuant to its charge to represent the public interest of South Carolina in matters before the South Carolina Public Service Commission pursuant to S.C. Code Ann. §58-4-10 et seq. (Supp. 2007).

While no petitions to intervene were filed, Mr. Richard P. Bricken and Mrs. Karen C. Bricken, by letter dated August 5, 2008, requested that they be considered parties of record and allowed to submit testimony. Mr. and Mrs. Bricken withdrew their request on August 20, 2008, having settled their complaint with the Company.

The Company filed an Application for Approval of the Sale of a Portion of the Assets of Wyboo Plantation Utilities, Inc. to Clarendon County on December 10, 2008 (see Docket No. 2008-445-WS). The Company submitted a Motion on December 16, 2008, requesting that the Commission shorten the notice period to twenty days. ORS responded by letter dated December 17, 2008, stating that ORS does not oppose the Company's request and that the Commission should require the Company to post in escrow \$44,555.36. The Company replied that the amount in controversy was less than \$44,555.36. This Commission ordered that the assets of the Company's performance

bond must remain subject to Docket No. 2006-327-WS and ordered the Company to establish an escrow account in the amount of \$25,000 in Docket No. 2008-445-WS until the time of hearing or other resolution of Docket No. 2006-327-WS. Additionally, we required a written commitment to personal jurisdiction from Mr. Mark Wrigley for Docket No. 2006-327-WS. (See Order No. 2008-852) A verified written commitment to personal jurisdiction was filed with the Commission on January 27, 2009.

On February 6, 2009, ORS and Wyboo (together the “Parties”) filed a Settlement Agreement pursuant to this Commission’s Settlement Policies and Procedures, as revised June 13, 2006. A hearing on this matter was conducted on February 11, 2009. We hold that the Settlement Agreement in this case is a complete, fair and reasonable resolution of this proceeding. At the Commission’s weekly agenda meeting held February 11, 2009, the Commission voted to approve the Company’s request to sell a portion of the Company’s assets to Clarendon County and to release the funds held in escrow conditioned upon resolution of this present docket (i.e., Docket No. 2006-327-WS).

II. JURISDICTION

S.C. Code Ann. §58-5-210 (1976) vests the Commission with the “power and jurisdiction to supervise and regulate the rates and service of every public utility in this State...” In carrying out these duties in relation to the instant matter and subsequent Settlement Agreement, the Commission’s published “Settlement Policies and Procedures” (Revised June 13, 2006) are applicable to guide this proceeding. Specifically, Section II of the Settlement Policies and Procedures, titled “Consideration of Settlements,” states:

When a settlement is presented to the Commission, the Commission will prescribe procedures appropriate to the nature of the settlement for the Commission's consideration of the settlement...the Commission will convene an evidentiary hearing to consider the reasonableness of the settlement and whether acceptance of the settlement is just, fair, and reasonable, in the public interest, or otherwise in accordance with law or regulatory policy.

III. EVIDENCE

At the hearing in this matter, ORS was represented by Nanette S. Edwards, Esquire, and Wyboo was represented by Richard L. Whitt, Esquire. ORS presented an overview of the provisions of the Settlement Agreement and its Exhibits. The remaining balance of charges that ORS contends were unauthorized is \$23,000.14. Pursuant to the terms of the Settlement Agreement, Wyboo will refund 50% of the remaining balance or \$11,500.07 to those accounts identified in Column A of Exhibit One to the Settlement Agreement. The Settlement Agreement requires counsel for Wyboo to establish a trust account and to issue the refunds, which are identified in Column F of Exhibit One, by U.S. First Class mail. To the extent the funds cannot be returned, those amounts shall escheat to the State. Counsel for Wyboo shall maintain sufficient documentation to substantiate that the funds have been returned or escheated to the State. Upon completion, ORS shall provide to the Commission a report independently verifying that the funds have been returned or escheated to the State. Mr. Wrigley's letter dated January 27, 2009, is included as Exhibit Two to the Settlement Agreement and is a commitment to personal jurisdiction under this Commission.

Counsel for Wyboo affirmed that his client was in agreement with the provisions of the Settlement Agreement and on behalf of his client expressed sincere regret for the unauthorized charges, which his client believed at the time of billing were allowed. Counsel for Wyboo also confirmed that a portion of the system was not transferred to Clarendon County thereby leaving approximately sixty (60) customers who will continue to be served by Wyboo.

Counsel for the Parties explained that settling at 50% of the remaining charges represented a balance between penalizing the Company for assessing charges not approved by the Commission and yet compensating the Company for the value of the service provided to the customer.

IV. FINDINGS OF FACT

Based upon the Explanatory Brief and Joint Motion, the Settlement Agreement including Exhibits One and Two which were admitted as Composite Hearing Exhibit One, and the submissions provided by counsel for the Parties, the Commission makes the following findings of fact:

1. By statute, the Commission is vested with jurisdiction to supervise and regulate the rates and service of every public utility in this State. S.C. Code Ann. §58-5-210 (1976).
2. After careful review and consideration by this Commission of the Settlement Agreement and the evidence in the record of this case, the Commission concludes as a matter of law that the Settlement Agreement results in a just and reasonable resolution of the Petition filed by ORS.

3. The Commission finds that the return of \$11,500.07 to the accounts listed in Exhibit One is just and reasonable and resolves this matter without further costly litigation. We hereby adopt and attach to this Order as Order Exhibit One, the Settlement Agreement including Exhibits One and Two, which were entered into the record of this case without objection as Composite Hearing Exhibit One.

IT IS THEREFORE ORDERED:

1. The Settlement Agreement including attached Exhibits One and Two are attached hereto as Order Exhibit One and are incorporated into and made a part of this Order by reference.

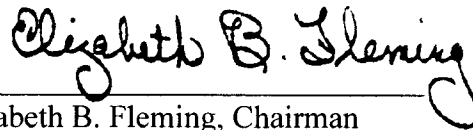
2. The Settlement Agreement between the Parties is approved and adopted by this Commission as producing a just and reasonable resolution and is in the public interest.

3. Consistent with our decision in Docket No. 2008-445-WS, we order the release of the \$25,000 held in escrow and further order that the amount of \$11,500.07 be refunded in accordance with the provisions of the Settlement Agreement adopted by this Commission.

4. The assets of the Company's performance bond are released subject to the filing of a replacement bond for the remaining portion of the Company that was not transferred to Clarendon County. The performance bond is due within thirty days of the issuance of this Order.

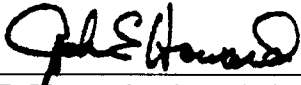
5. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Elizabeth B. Fleming, Chairman

ATTEST:



John E. Howard, Vice Chairman

(SEAL)

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2006-327-WS
February 6, 2009

| | | |
|----------------------------------|---|-----------------------------|
| Office of Regulatory Staff, |) | |
| Petitioner, |) | |
| v. |) | SETTLEMENT AGREEMENT |
| Wyboo Plantation Utilities, Inc. |) | |
| <u>Respondent.</u> |) | |

This Settlement Agreement is made by and between the South Carolina Office of Regulatory Staff ("ORS") and Wyboo Plantation Utilities, Inc. ("Wyboo" or "the Company") (together referred to as the "Parties" or sometimes individually as "Party").

WHEREAS, the ORS filed a Petition with the Commission on October 20, 2006, regarding the Company's collection of unauthorized charges and then filed an Amended Petition on December 28, 2006;

WHEREAS, the South Carolina Public Service Commission ("Commission") pursuant to the provisions of S.C. Code Ann. § 58-5-210 (1976) is vested with the power to supervise the rates and service of the public utility;

WHEREAS, Commission Regulations 103-502.8, 103.502.10, 103-503, 103-702.12, 103-702.13, and 103-703 require Commission approval of the Company's rates and charges;

WHEREAS, ORS examined the books and records of the Company relative to the matters raised in the Petition and, in connection therewith, has requested of and received from the Company additional documentation;

WHEREAS, the Parties have varying legal positions regarding the issues in this case;

WHEREAS, both Parties submitted pre-filed testimony in this case;

WHEREAS, the Company filed a Motion for Approval of Water Fee, Nunc Pro Tunc arguing that the consumers that were charged a water and sewer tap fee received the benefit of having the tap;

WHEREAS, ORS filed a Response to the Motion arguing that the water tap fee was not approved by the Commission and in some instances a sewer tap fee in excess of that approved by the Commission was assessed;

WHEREAS, upon Application by the Company that it intended to transfer the utility to Clarendon County, the Commission pursuant to its Order 2008-852 dated December 30, 2008, in Docket No. 2008-445-WS required the Company to hold \$25,000 in escrow from the proceeds of the closing;

WHEREAS, following the submission of prefiled testimony and the filing of the Motion and Response, the Parties engaged in discussions to determine if a settlement of the issues would be in their best interests and in the case of ORS, in the public interest;

WHEREAS, following those discussions the Company has determined that its interests and ORS has determined that the public interest would be best served by stipulating to a comprehensive settlement of all issues pending in the above-captioned case under the terms and conditions set forth herein;

NOW, THEREFORE, the Parties hereby stipulate and agree to the following terms, which, if adopted by the Commission in its Order, will result in a refund to those customers identified by ORS as having paid a rate higher than that approved by the Commission.

1. The Parties stipulate and agree that \$11,500.07 shall be deducted from the \$25,000 currently held in escrow. This figure represents 50% of the outstanding balance of unauthorized charges. The remainder was either returned, credited, waived, or escheated to the State. Exhibit One to this Settlement Agreement provides a breakdown of the status of the fees and charges by customer. ORS identified the customers that were overcharged, in ORS' opinion, from the books and records produced by the Company covering the period of 2002-2006.

2. The Parties agree to a settlement of 50% of the remaining balance because the amount represents a balance between the benefits the consumers received by having a water tap and a penalty to the utility for assessing charges that were not approved by the Commission. The vast majority of the remaining balance concerns the water and sewer tap fees.

3. The Parties also agree that Mr. Richard Whitt, counsel for the Company, shall establish a trust account to return the monies from this Settlement to those customers identified in Exhibit One in the amount of 50% of the identified claim. Customers listed in Exhibit One will be sent a refund check by U.S. first class mail using the address information maintained by the Company. To the extent the funds cannot be returned to the customers identified in Exhibit One, those monies shall escheat to the State. Mr. Whitt shall provide updates to ORS as to the status of the return of the monies and shall retain sufficient documentation to enable ORS to review and certify to the Commission that the funds have been returned or escheated to the State. The Parties shall jointly file an update to Exhibit One with the Commission identifying the final status for each account.

4. ORS shall review and examine the documentation demonstrating that the monies have been returned or escheated to the State and shall provide to the Commission a report independently certifying completion of the return.

5. Should a customer of the Company who was not identified in Exhibit One file a complaint with the Commission regarding payment of an unauthorized charge that was the subject of this docket, any such complaints will be addressed in a separate docket. Mr. Wrigley has agreed to personal jurisdiction. See Exhibit Two.

6. ORS is charged by law with the duty to represent the public interest of South Carolina pursuant to S.C. Code § 58-4-10(B) (Supp. 2007). S.C. Code § 58-4-10(B)(1) through (3) reads in part as follows:

... 'public interest' means a balancing of the following:

- (1) concerns of the using and consuming public with respect to public utility services, regardless of the class of customer;
- (2) economic development and job attraction and retention in South Carolina; and
- (3) preservation of the financial integrity of the State's public utilities and continued investment in and maintenance of utility facilities so as to provide reliable and high quality utility services.

7. The Parties agree to advocate that the Commission accept and approve this Settlement Agreement in its entirety as a fair, reasonable and full resolution of the above-captioned proceeding and to take no action inconsistent with its adoption by the Commission. The Parties further agree to cooperate in good faith with one another in recommending to the Commission that this Settlement Agreement be accepted and approved by the Commission. The Parties agree to use reasonable efforts to defend and support any Commission order issued approving this Settlement Agreement and the terms and conditions contained herein.

8. If the Commission should decline to approve the agreement in its entirety, then any Party desiring to do so may withdraw from the Settlement Agreement without penalty or obligation.

9. This Settlement Agreement shall be interpreted according to South Carolina law.

10. The above terms and conditions fully represent the agreement of the Parties hereto. Therefore, each Party acknowledges its consent and agreement to this Settlement Agreement by affixing its signature or by authorizing its counsel to affix his or her signature to this document where indicated below. Counsel's signature represents his or her representation that his or her client has authorized the execution of the agreement. Facsimile signatures and e-mail signatures shall be as effective as original signatures to bind any party. This document may be signed in counterparts, with the various signature pages combined with the body of the document constituting an original and provable copy of this Settlement Agreement. The Parties agree that in the event any Party should fail to indicate its consent to this Settlement Agreement and the terms contained herein, then this Settlement Agreement shall be null and void and will not be binding on any Party.

SIGNATURE PAGES FOLLOW

WE AGREE:

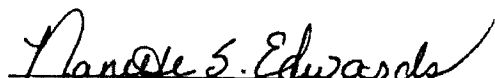
**Representing Wyboo Plantation Utilities, Inc.
And Mark Wrigley**



Richard L. Whitt, Esquire
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508 Hampton Street, Suite 300
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Phone: (803) 256-4000
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Email: rlwhitt@AustinRogersPA.com

WE AGREE:

Representing the South Carolina Office of Regulatory Staff



Nanette S. Edwards, Esquire
South Carolina Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, SC 29201
Phone: (803) 737-0575
Fax: (803) 737-0895
E-mail: nsedwar@regstaff.sc.gov

Wybee Plantation Utilities, Inc.
Summary of Overcharges and Unauthorized Fees
Docket 2006-327-WS

Settlement Agreement Exhibit One
February 6, 2009

| | A | B | C | D | E | F |
|----|------------------------|-----------------------|--------------|-------------------|----------|--------------|
| 1 | Customer Name | Address | Date Charged | Type of Charge | Amount | 6-Feb-09 |
| 2 | Baker, Victor | GR-27 | 12/1/2003 | Cut-off Fee | \$35.00 | SC Treasurer |
| 3 | Galloway, Le Mays | CH-32 | 9/13/2004 | Cut-off Fee | \$35.00 | N/A |
| 4 | Durant, Alethea | CH-24 | 10/28/2004 | Cut-off Fee | \$35.00 | \$32.00 |
| 5 | Scarborough, Carolyn | CH-13 | 2/7/2005 | Cut-off Fee | \$35.00 | \$2.50 |
| 6 | Thompson, Thomas | GR-30 | 4/28/2005 | Cut-off Fee | \$35.00 | SC Treasurer |
| 7 | Galloway, Le Mays | CH-32 | 7/28/2005 | Cut-off Fee | \$35.00 | N/A |
| 8 | Robinson, Phillistine | CH-14 | 7/28/2005 | Cut-off Fee | \$35.00 | N/A |
| 9 | Robinson, Diane | CH-20 | 9/28/2005 | Cut-off Fee | \$35.00 | \$35.00 |
| 10 | Williams, Michael | CH-44 | 9/28/2005 | Cut-off Fee | \$35.00 | N/A |
| 11 | Robinson, Phillistine | CH-14 | 10/29/2005 | Cut-off Fee | \$35.00 | N/A |
| 12 | Brown, Windy | GR-18 | 4/28/2006 | Cut-off Fee | \$35.00 | credited |
| 13 | China, Kimberly | GR-34 | 4/28/2006 | Cut-off Fee | \$35.00 | N/A |
| 14 | China, Latonya | GR-35 | 4/28/2006 | Cut-off Fee | \$35.00 | credited |
| 15 | Jeter, Aretha | GR-4 | 4/28/2006 | Cut-off Fee | \$35.00 | N/A |
| 16 | Pratt, Keith | GR-15 | 4/28/2006 | Cut-off Fee | \$35.00 | credited |
| 17 | Watkins, Richard | GR-45 | 4/28/2006 | Cut-off Fee | \$35.00 | credited |
| 18 | Bourassa Anna, Johnson | CH-42 | 7/28/2006 | Cut-off Fee | \$35.00 | refunded |
| 19 | Hodge, Shantel | CH-44 | 8/28/2006 | Cut-off Fee | \$30.00 | SC Treasurer |
| 20 | Green, Shakya | CH-41 | 9/4/2006 | Cut-off Fee | \$35.00 | SC Treasurer |
| 21 | Bethea, Latoya | CH-8 | Sep-06 | Cut-off Fee | \$35.00 | \$32.00 |
| 22 | | | | Cut-off Fee Total | \$695.00 | \$101.50 |
| 23 | | | | | | |
| 24 | Hill, Sophia | CH-45 | 7/28/2005 | Cut-on Fee | \$35.00 | credited |
| 25 | Robinson, Phillistine | CH-14 | 7/28/2005 | Cut-on Fee | \$35.00 | credited |
| 26 | Walsh, Robert | CH-46 | 9/8/2004 | Cut-on Fee | \$35.00 | credited |
| 27 | | | | Cut-on Fee Total | \$105.00 | \$0.00 |
| 28 | | | | | | |
| 29 | Adkins | 134 Ridge Lake Drive | 2/28/2004 | DHEC Sewer Fee | \$2.50 | credited |
| 30 | Bresky | 1099 Millcreek Drive | 1/28/2004 | DHEC Sewer Fee | \$7.50 | credited |
| 31 | Bresky | 18 Ridge Lake Drive | 11/28/2003 | DHEC Sewer Fee | \$5.00 | credited |
| 32 | Bresky | 18 Ridge Lake Drive | 1/28/2004 | DHEC Sewer Fee | \$2.50 | credited |
| 33 | Bresky | 18 Ridge Lake Drive | 2/28/2004 | DHEC Sewer Fee | \$2.50 | credited |
| 34 | Bresky | 18 Ridge Lake Drive | 3/28/2004 | DHEC Sewer Fee | \$2.50 | credited |
| 35 | Bresky | 18 Ridge Lake Drive | 4/28/2004 | DHEC Sewer Fee | \$2.50 | credited |
| 36 | Bresky | 18 Ridge Lake Drive | 2/28/2004 | DHEC Sewer Fee | \$2.50 | SC Treasurer |
| 37 | Brown | Millcreek Drive | 11/28/2003 | DHEC Sewer Fee | \$2.50 | credited |
| 38 | Counts | 114 Ridge Lake Drive | 12/28/2003 | DHEC Sewer Fee | \$2.50 | credited |
| 39 | Counts | 114 Ridge Lake Drive | 1/28/2003 | DHEC Sewer Fee | \$2.50 | credited |
| 40 | Counts | 114 Ridge Lake Drive | 2/28/2003 | DHEC Sewer Fee | \$2.50 | credited |
| 41 | Deercreek | 1744 N. Farewell Ave. | 11/28/2003 | DHEC Sewer Fee | \$2.50 | \$2.50 |
| 42 | Deercreek | 1744 N. Farewell Ave. | 12/28/2003 | DHEC Sewer Fee | \$2.50 | \$2.50 |
| 43 | Deercreek | 1744 N. Farewell Ave. | 1/28/2004 | DHEC Sewer Fee | \$2.50 | \$2.50 |
| 44 | Gamble | 120 Oakview Circle | 2/28/2004 | DHEC Sewer Fee | \$2.50 | credited |
| 45 | Garrison | 23 Fairway Drive | 2/28/2004 | DHEC Sewer Fee | \$2.50 | credited |
| 46 | Goltz | 27 North Lake Circle | 2/28/2004 | DHEC Sewer Fee | \$2.50 | credited |
| 47 | Matthews | 131 Ridge Lake Drive | 2/28/2004 | DHEC Sewer Fee | \$2.50 | credited |
| 48 | Michael | 33 Plantation Drive | 11/28/2003 | DHEC Sewer Fee | \$2.50 | credited |
| 49 | O'Donnell | 15 Lake Arbu Drive | 2/28/2004 | DHEC Sewer Fee | \$2.50 | credited |
| 50 | Onesimo | 111 Ridge Lake Drive | 2/28/2004 | DHEC Sewer Fee | \$2.50 | SC Treasurer |
| 51 | Otto | 217 Ridge Lake Drive | 12/28/2003 | DHEC Sewer Fee | \$15.00 | credited |
| 52 | Otto | 217 Ridge Lake Drive | 1/28/2004 | DHEC Sewer Fee | \$2.50 | credited |
| 53 | Perronkas | 424 Pine Lake Drive | 2/28/2004 | DHEC Sewer Fee | \$2.50 | credited |
| 54 | Richards | 148 Ridge Lake Drive | 2/28/2004 | DHEC Sewer Fee | \$2.50 | credited |
| 55 | Shick | 129 Ridge Lake Drive | 2/28/2004 | DHEC Sewer Fee | \$2.50 | credited |
| 56 | Smith | 19 North Lake Circle | 2/28/2004 | DHEC Sewer Fee | \$2.50 | credited |
| 57 | Smithwick | 1302 Millcreek Drive | 11/28/2003 | DHEC Sewer Fee | \$30.00 | credited |
| 58 | Sosin | 844 Bentwood Circle | 11/28/2003 | DHEC Sewer Fee | \$2.50 | SC Treasurer |
| 59 | Sosin | 844 Bentwood Circle | 12/28/2003 | DHEC Sewer Fee | \$2.50 | SC Treasurer |
| 60 | Stein | 12 Lake Arbu Drive | 2/28/2004 | DHEC Sewer Fee | \$2.50 | credited |
| 61 | Sundermen | 12 Ridge Lake Drive | 12/28/2003 | DHEC Sewer Fee | \$2.50 | correction |
| 62 | Sundermen | 12 Ridge Lake Drive | 1/28/2004 | DHEC Sewer Fee | \$2.50 | correction |
| 63 | Sundermen | 12 Ridge Lake Drive | 2/28/2004 | DHEC Sewer Fee | \$2.50 | correction |
| 64 | Sundermen | 12 Ridge Lake Drive | 3/28/2004 | DHEC Sewer Fee | \$2.50 | correction |
| 65 | Telesmanic | 33 North Lake Circle | 11/28/2003 | DHEC Sewer Fee | \$2.50 | credited |
| 66 | Telesmanic | 33 North Lake Circle | 12/28/2003 | DHEC Sewer Fee | \$2.50 | credited |
| 67 | Telesmanic | 33 North Lake Circle | 1/28/2004 | DHEC Sewer Fee | \$2.50 | credited |
| 68 | Telesmanic | 33 North Lake Circle | 2/28/2004 | DHEC Sewer Fee | \$2.50 | credited |
| 69 | Tittle | 125 Ridge Lake Circle | 2/28/2004 | DHEC Sewer Fee | \$2.50 | credited |
| 70 | Turnbull | 117 Ridge Lake Drive | 2/28/2004 | DHEC Sewer Fee | \$2.50 | correction |

Wyboe Plantation Utilities, Inc.

Summary of Overcharges and Unauthorized Fees

Docket 2006-327-W5

Settlement Agreement Exhibit One

February 8, 2009

| | A | B | C | D | E | F |
|-----|-----------------------------------|-----------------------|--------------|-----------------------------|------------|--------------|
| 1 | Customer Name | Address | Date Charged | Type of Charge | Amount | 6-Feb-09 |
| 71 | Van Pelt | 23 Lake Arbu Drive | 2/28/2004 | DHEC Sewer Fee | \$2.50 | credited |
| 72 | Waldous | 144 Ridge Lake Drive | 12/28/2003 | DHEC Sewer Fee | \$15.00 | credited |
| 73 | Wall | 1153 Warrens Way | 11/28/2003 | DHEC Sewer Fee | \$15.00 | credited |
| 74 | Wall | 1153 Warrens Way | 1/28/2004 | DHEC Sewer Fee | \$2.50 | credited |
| 75 | Wyboe | 100 Recreation Drive | 2/28/2004 | DHEC Sewer Fee | \$2.50 | credited |
| 76 | DHEC Sewer Fee Total | | | | \$190.00 | \$7.50 |
| 77 | | | | | | |
| 78 | Diaz, Kristal | CH-30 | 10/4/2004 | Illegal Water Use Fee | \$135.00 | SC Treasurer |
| 79 | Pringle, Tanetricia | CH-24 | 9/2/2006 | Illegal Water Use Fee | \$50.00 | credited |
| 80 | Illegal Water Use Fee Total | | | | \$185.00 | \$0.00 |
| 81 | | | | | | |
| 82 | O'Connor | 1154 Creek Side Drive | 6/4/2004 | Impact Fee | \$200.00 | SC Treasurer |
| 83 | Impact Fee Total | | | | \$200.00 | \$0.00 |
| 84 | | | | | | |
| 85 | Roacher, Violet Harold | CH-13 | 5/28/2004 | Reconnection/Connection Fee | \$35.00 | credited |
| 86 | Warner, Sharon | CH-7 | 5/28/2004 | Reconnection/Connection Fee | \$35.00 | SC Treasurer |
| 87 | Bethune, Lashanda | CH-36 | 6/28/2004 | Reconnection/Connection Fee | \$35.00 | credited |
| 88 | Bethune, Lashanda | CH-36 | 7/28/2004 | Reconnection/Connection Fee | \$35.00 | credited |
| 89 | Bourassa, Anne Johnson | CH-42 | 8/28/2006 | Reconnection/Connection Fee | \$35.00 | refunded |
| 90 | James, Dorothy | CH-35 | 7/28/2004 | Reconnection/Connection Fee | \$35.00 | credited |
| 91 | Dingle, Connie | GR-60 | 8/28/2004 | Reconnection/Connection Fee | \$35.00 | SC Treasurer |
| 92 | Fostervold, Jennifer | CH-24 | 8/28/2004 | Reconnection/Connection Fee | \$35.00 | correction |
| 93 | Oxon, Katina | CH-3 | 9/15/2004 | Reconnection/Connection Fee | \$35.00 | \$6.50 |
| 94 | Issac, Maurice | CH-46 | 9/28/2004 | Reconnection/Connection Fee | \$25.00 | N/A |
| 95 | Bethune, Lashanda | CH-36 | 10/28/2004 | Reconnection/Connection Fee | \$35.00 | N/A |
| 96 | Durant, Alethea | CH-24 | 10/28/2004 | Reconnection/Connection Fee | \$35.00 | N/A |
| 97 | Davis, Theresa | CH-11 | 1/28/2005 | Reconnection/Connection Fee | \$35.00 | \$5.50 |
| 98 | Ridgeway, Raymond | CH-41 | 2/7/2005 | Reconnection/Connection Fee | \$35.00 | N/A |
| 99 | Parry, Penny | GR-56 | 2/28/2005 | Reconnection/Connection Fee | \$35.00 | \$4.00 |
| 100 | Edwards, Cassandra | CH-42 | 7/28/2005 | Reconnection/Connection Fee | \$35.00 | N/A |
| 101 | Choice, Derrick | CH-13 | 9/28/2005 | Reconnection/Connection Fee | \$35.00 | N/A |
| 102 | Hudson, Janie Mae | CH-31 | 9/28/2005 | Reconnection/Connection Fee | \$35.00 | \$35.00 |
| 103 | LeGrant, Regina | CH-29 | 9/28/2005 | Reconnection/Connection Fee | \$35.00 | credited |
| 104 | McMillan, Ryan | CH-47 | 9/28/2005 | Reconnection/Connection Fee | \$35.00 | SC Treasurer |
| 105 | Robinson, Diane | CH-20 | 9/28/2005 | Reconnection/Connection Fee | \$35.00 | \$19.14 |
| 106 | Sanders, Phillip | CH-30 | 9/28/2005 | Reconnection/Connection Fee | \$35.00 | SC Treasurer |
| 107 | Warner, Sharon | CH-7 | 9/28/2005 | Reconnection/Connection Fee | \$35.00 | SC Treasurer |
| 108 | Conyers, Quentin | CH-12 | 10/28/2005 | Reconnection/Connection Fee | \$35.00 | N/A |
| 109 | Spence, Tom & Tina | GR-28A | 11/28/2005 | Reconnection/Connection Fee | \$35.00 | \$26.00 |
| 110 | Hudson, Janie Mae | CH-31 | 1/28/2006 | Reconnection/Connection Fee | \$35.00 | SC Treasurer |
| 111 | Rosas, Yazmin | CH-17 | 1/31/2006 | Reconnection/Connection Fee | \$35.00 | SC Treasurer |
| 112 | Brown, Windy | GR-18 | 4/28/2006 | Reconnection/Connection Fee | \$35.00 | credited |
| 113 | China, Kimberly | GR-34 | 4/28/2006 | Reconnection/Connection Fee | \$35.00 | N/A |
| 114 | China, Latonya | GR-35 | 4/28/2006 | Reconnection/Connection Fee | \$35.00 | credited |
| 115 | Jeter, Aretha | GR-4 | 4/28/2006 | Reconnection/Connection Fee | \$35.00 | N/A |
| 116 | Pruitt, Keith | GR-15 | 4/28/2006 | Reconnection/Connection Fee | \$35.00 | credited |
| 117 | Watkins, Richard | GR-45 | 4/28/2006 | Reconnection/Connection Fee | \$35.00 | credited |
| 118 | Perry, Kelvin | GR-2 | 5/28/2006 | Reconnection/Connection Fee | \$35.00 | N/A |
| 119 | Hodge, Shantel | CH-44 | 6/28/2006 | Reconnection/Connection Fee | \$30.00 | \$7.50 |
| 120 | Robinson, Diane | CH-20 | 8/28/2006 | Reconnection/Connection Fee | \$35.00 | \$35.00 |
| 121 | Pringle, Tanetricia | CH-24 | 9/2/2006 | Reconnection/Connection Fee | \$37.00 | \$37.00 |
| 122 | Green, Shakeya | CH-41 | 9/4/2006 | Reconnection/Connection Fee | \$35.00 | SC Treasurer |
| 123 | Wright, Regina | CH-12 | 2/4/2006 | Reconnection/Connection Fee | \$58.00 | N/A |
| 124 | Plum, Curtis | CH-8 | 5/28/2004 | Reconnection/Connection Fee | \$35.00 | \$3.50 |
| 125 | Wells, Patsy | CH-25 | 7/28/2006 | Reconnection/Connection Fee | \$35.00 | \$12.00 |
| 126 | Reconnection/Connection Fee Total | | | | \$1,445.00 | \$191.14 |
| 127 | | | | | | |
| 128 | O'Connor | 1154 Creek Side Drive | 8/4/2004 | Sewer Tap Fee Overcharge | \$150.00 | \$150.00 |
| 129 | Dié J Developers | Villa Drive | 1/13/2005 | Sewer Tap Fee Overcharge | \$150.00 | waived |
| 130 | Jones | 1017 Creekside Drive | 9/5/2005 | Sewer Tap Fee Overcharge | \$150.00 | \$150.00 |
| 131 | Jones | 1073 Millicreek Drive | 9/7/2005 | Sewer Tap Fee Overcharge | \$150.00 | \$150.00 |
| 132 | Carter | 715 Oak Hill Drive | 10/22/2005 | Sewer Tap Fee Overcharge | \$150.00 | \$150.00 |
| 133 | Carter Construction Co. IV | 303 Lake Arbu Drive | 10/31/2005 | Sewer Tap Fee Overcharge | \$150.00 | \$150.00 |
| 134 | Sewer Tap Fee Total Overcharge | | | | \$900.00 | \$750.00 |
| 135 | | | | | | |
| 136 | Yanscoy, Bill | 115 Oakview Circle | 9/17/2002 | STEP System Repair Fee | \$1,123.68 | Never Paid |
| 137 | Gobel, James | 128 Oakview Circle | 9/17/2002 | STEP System Repair Fee | \$1,123.68 | Never Paid |

Wyboe Plantation Utilities, Inc.
Summary of Overcharges and Unauthorized Fees
Docket 2006-327-W5

Settlement Agreement Exhibit One
February 6, 2009

| | A | B | C | D | E | F |
|-----|----------------------------------|---------------------------------|--------------|----------------------------|------------|----------------|
| 1 | Customer Name | Address | Date Charged | Type of Charge | Amount | 6-Feb-09 |
| | STEP System Repair Fee Total | | | | \$2,247.36 | \$0.00 |
| 138 | | | | | | |
| 139 | | | | | | |
| 140 | Deercreek Plantation PO | P.O. Box 520 | 4/28/2006 | Water Service for Pool Fee | \$234.00 | credited |
| 141 | Water Service for Pool Fee Total | | | | \$234.00 | \$0.00 |
| 142 | | | | | | |
| 143 | Anderson | (No Address Listed) | 4/15/2002 | Water Tap Fee | \$300.00 | \$300.00 |
| 144 | Bobby Carter | Lot 51/Reddy Court | 4/22/2002 | Water Tap Fee | \$300.00 | \$300.00 |
| 145 | LBG, Inc. Custom Homes | J-2474 Fairway | 5/8/2002 | Water Tap Fee | \$300.00 | waived |
| 146 | Tennnants | (No Address Listed) | 5/17/2002 | Water Tap Fee | \$300.00 | \$300.00 |
| 147 | Tennnants | (No Address Listed) | 5/17/2002 | Water Tap Fee | \$300.00 | \$300.00 |
| 148 | Hawkins Construction | Lot - 20 Millcreek | 7/7/2002 | Water Tap Fee | \$300.00 | sewer tap |
| 149 | Summer Shores | (No Address Listed) | 7/13/2002 | Water Tap Fee | \$300.00 | \$300.00 |
| 150 | Hawkins Construction | (No Address Listed) | 7/15/2002 | Water Tap Fee | \$300.00 | \$300.00 |
| 151 | Hawkins Construction | (No Address Listed) | 7/15/2002 | Water Tap Fee | \$300.00 | \$300.00 |
| 152 | LBG, Inc. Custom Homes | M-24/506 Oak Hill Drive | 8/8/2002 | Water Tap Fee | \$300.00 | waived |
| 153 | LBG, Inc. Custom Homes | A-62/5 Ridgelaque Drive | 8/8/2002 | Water Tap Fee | \$300.00 | waived |
| 154 | LBG, Inc. Custom Homes | 508/H-4 806 Benwood Circle | 8/8/2002 | Water Tap Fee | \$300.00 | waived |
| 155 | (No Name Listed) | MC-36 | 12/19/2002 | Water Tap Fee | \$300.00 | sewer tap |
| 156 | Bobby Carter | 113 Plantation Drive | 3/23/2003 | Water Tap Fee | \$300.00 | \$300.00 |
| 157 | Shirer | 3388 White Oak | 8/28/2003 | Water Tap Fee | \$300.00 | waived |
| 158 | Murr | 45 Ridge Lake Drive | 2/26/2004 | Water Tap Fee | \$300.00 | waived |
| 159 | Bob Sternberg | 1 Green Lake Drive | 3/21/2004 | Water Tap Fee | \$300.00 | waived |
| 160 | Tennant's Res. | Deer Creek Plantation | 4/22/2004 | Water Tap Fee | \$300.00 | \$300.00 |
| 161 | Carroll | 1415 Lakeview Drive | 4/30/2004 | Water Tap Fee | \$300.00 | waived |
| 162 | Bob Sternberg | 707 Oak Hill Drive | 5/9/2004 | Water Tap Fee | \$300.00 | waived |
| 163 | Bob Sternberg | 709 Oak Hill Drive | 5/9/2004 | Water Tap Fee | \$300.00 | waived |
| 164 | Bob Sternberg | 711 Oak Hill Drive | 5/9/2004 | Water Tap Fee | \$300.00 | waived |
| 165 | Bob Sternberg | 713 Oak Hill Drive | 5/9/2004 | Water Tap Fee | \$300.00 | waived |
| 166 | Bob Sternberg | 715 Oak Hill Drive | 5/9/2004 | Water Tap Fee | \$300.00 | waived |
| 167 | Bob Sternberg | 717 Oak Hill Drive | 5/9/2004 | Water Tap Fee | \$300.00 | waived |
| 168 | Bob Sternberg | 719 Oak Hill Drive | 5/9/2004 | Water Tap Fee | \$300.00 | waived |
| 169 | Tennant's Res. | 1324 Warrens Way | 6/3/2004 | Water Tap Fee | \$300.00 | \$300.00 |
| 170 | Tennant's Res. | 1325 Warrens Way | 6/3/2004 | Water Tap Fee | \$300.00 | \$300.00 |
| 171 | Wilson | 1042 Carving Trace | 6/22/2004 | Water Tap Fee | \$300.00 | \$300.00 |
| 172 | Wilson | 1420 Lake View Drive | 6/22/2004 | Water Tap Fee | \$450.00 | \$450.00 |
| 173 | Archdale Homebuilders | 101 Plantation Drive | 7/6/2004 | Water Tap Fee | \$450.00 | \$450.00 |
| 174 | Archdale Homebuilders | 305 Plantation Drive | 7/6/2004 | Water Tap Fee | \$450.00 | \$450.00 |
| 175 | Santee Carolina Const. Co. | 1455 Blue Heron Point | 11/8/2004 | Water Tap Fee | \$300.00 | \$300.00 |
| 176 | Tennant's Res. | 1413 Blue Heron Point | 11/22/2004 | Water Tap Fee | \$450.00 | \$450.00 |
| 177 | Tennant's Res. | 229 Plantation Drive | 11/28/2004 | Water Tap Fee | \$450.00 | \$450.00 |
| 178 | Bobby Carter | 44 Plantation Drive | 11/30/2004 | Water Tap Fee | \$450.00 | double counted |
| 179 | Bobby Carter | 205 Ridge Lake Drive | 11/30/2004 | Water Tap Fee | \$450.00 | \$450.00 |
| 180 | Boudreau, Hank | 44 Plantation Drive | 11/30/2004 | Water Tap Fee | \$450.00 | \$450.00 |
| 181 | Soucy (Bobby Carter) | 123 Ridge Lake Drive | 12/8/2004 | Water Tap Fee | \$300.00 | \$300.00 |
| 182 | Jones | Lot #8 | 1/4/2005 | Water Tap Fee | \$450.00 | waived |
| 183 | De J Developers | Villa Drive | 1/13/2005 | Water Tap Fee | \$450.00 | \$450.00 |
| 184 | Springdale Builders, Inc. | 1479 Blue Heron Point | 2/28/2005 | Water Tap Fee | \$450.00 | \$450.00 |
| 185 | Springdale Builders, Inc. | 1480 Blue Heron Point | 2/28/2005 | Water Tap Fee | \$450.00 | \$450.00 |
| 186 | Springdale Builders, Inc. | 1416 Blue Heron Point | 2/28/2005 | Water Tap Fee | \$450.00 | \$450.00 |
| 187 | Springdale Builders, Inc. | 1176 Blue Heron Point | 2/28/2005 | Water Tap Fee | \$450.00 | \$450.00 |
| 188 | Springdale Builders, Inc. | 1112 Blue Heron Point | 2/28/2005 | Water Tap Fee | \$450.00 | \$450.00 |
| 189 | Springdale Builders, Inc. | 1117 Blue Heron Point | 2/28/2005 | Water Tap Fee | \$450.00 | \$450.00 |
| 190 | Springdale Builders, Inc. | 1118 Blue Heron Point | 2/28/2005 | Water Tap Fee | \$450.00 | \$450.00 |
| 191 | Springdale Builders, Inc. | 1177 Blue Heron Point | 2/28/2005 | Water Tap Fee | \$450.00 | \$450.00 |
| 192 | Springdale Builders, Inc. | 1139 Blue Heron Point | 2/28/2005 | Water Tap Fee | \$300.00 | \$300.00 |
| 193 | Pokora | 41 Ridge Lake Drive | 3/5/2005 | Water Tap Fee | \$300.00 | \$300.00 |
| 194 | Carlson | 6 Lake Arbu Drive | 3/7/2005 | Water Tap Fee | \$300.00 | \$300.00 |
| 195 | Page | 140 Ridge Lake Drive | 3/9/2005 | Water Tap Fee | \$300.00 | \$300.00 |
| 196 | Mills | 838 Benwood Circle | 3/14/2005 | Water Tap Fee | \$300.00 | \$300.00 |
| 197 | Springdale Builders, Inc. | Lot No.'s 4,6,28,29,35,36,43,51 | 3/25/2005 | Water Tap Fee | \$3,600.00 | \$3,600.00 |
| 198 | DeJong | 312 Lake Arbu Drive | 3/30/2005 | Water Tap Fee | \$300.00 | \$300.00 |
| 199 | Deercreek Sales, Office | 2495 Players Course Drive | 4/2/2005 | Water Tap Fee | \$450.00 | credited |
| 200 | Hawkins Construction | 1440 Lake View Drive | 4/28/2005 | Water Tap Fee | \$450.00 | \$450.00 |
| 201 | Rembert | 3307 White Oak Drive | 5/23/2005 | Water Tap Fee | \$450.00 | \$450.00 |
| 202 | Duke | 1352 Lake View Drive | 6/17/2005 | Water Tap Fee | \$450.00 | \$450.00 |
| 203 | Frazier | 3265 White Oak Drive | 7/1/2005 | Water Tap Fee | \$450.00 | waived |
| 204 | Harrington Homebuilders | 1446 Lake View Drive | 7/14/2005 | Water Tap Fee | \$450.00 | waived |
| 205 | Symbolic Enterprise | 1039 Blue Heron Point | 7/27/2005 | Water Tap Fee | \$450.00 | waived |
| 206 | Symbolic Enterprise | 1051 Blue Heron Point | 7/27/2005 | Water Tap Fee | \$450.00 | waived |

Wyboe Plantation Utilities, Inc.
Summary of Overcharges and Unauthorized Fees
Docket 2006-327-WS

Settlement Agreement Exhibit One
February 6, 2009

| 1 | A | B | C | D | E | F |
|-----|----------------------------|-----------------------|--------------|---|---|--------------|
| | Customer Name | Address | Date Charged | Type of Charge | Amount | 6-Feb-09 |
| 207 | Symbolic Enterprise | 1093 Blue Heron Point | 7/27/2005 | Water Tap Fee | \$450.00 | walved |
| 208 | Symbolic Enterprise | 1157 Blue Heron Point | 7/27/2005 | Water Tap Fee | \$450.00 | walved |
| 209 | Symbolic Enterprise | 1167 Blue Heron Point | 7/27/2005 | Water Tap Fee | \$450.00 | walved |
| 210 | Symbolic Enterprise | 1449 Blue Heron Point | 7/27/2005 | Water Tap Fee | \$450.00 | walved |
| 211 | Symbolic Enterprise | 1424 Blue Heron Point | 7/27/2005 | Water Tap Fee | \$450.00 | walved |
| 212 | Symbolic Enterprise | 1476 Blue Heron Point | 7/27/2005 | Water Tap Fee | \$450.00 | walved |
| 213 | Symbolic Enterprise | 1396 Blue Heron Point | 7/27/2005 | Water Tap Fee | \$450.00 | walved |
| 214 | Symbolic Enterprise | 1194 Blue Heron Point | 7/27/2005 | Water Tap Fee | \$450.00 | walved |
| 215 | Symbolic Enterprise | 1160 Blue Heron Point | 7/27/2005 | Water Tap Fee | \$450.00 | walved |
| 216 | Symbolic Enterprise | 1152 Blue Heron Point | 7/27/2005 | Water Tap Fee | \$450.00 | walved |
| 217 | Symbolic Enterprise | 1142 Blue Heron Point | 7/27/2005 | Water Tap Fee | \$450.00 | walved |
| 218 | Symbolic Enterprise | 1136 Blue Heron Point | 7/27/2005 | Water Tap Fee | \$450.00 | walved |
| 219 | Symbolic Enterprise | 1130 Blue Heron Point | 7/27/2005 | Water Tap Fee | \$450.00 | walved |
| 220 | Symbolic Enterprise | 1062 Blue Heron Point | 7/27/2005 | Water Tap Fee | \$450.00 | walved |
| 221 | Symbolic Enterprise | Blue Heron Point | 7/27/2005 | Water Tap Fee | \$450.00 | walved |
| 222 | Rosesteel | 4 Lake Arbu Drive | 9/10/2005 | Water Tap Fee | \$300.00 | \$300.00 |
| 223 | Mogavero (Rhodes paid) | Lot A-75 | 9/13/2005 | Water Tap Fee | \$450.00 | walved |
| 224 | Jones | 19 Ridge Lake Drive | 9/23/2005 | Water Tap Fee | \$450.00 | \$450.00 |
| 225 | Carter | 715 Oak Hill Drive | 10/22/2005 | Water Tap Fee | \$450.00 | \$450.00 |
| 226 | Carter Construction Co. IV | 303 Lake Arbu Drive | 10/31/2005 | Water Tap Fee | \$450.00 | \$450.00 |
| 227 | Archdale Homebuilders I | 221 Plantation Drive | 11/15/2005 | Water Tap Fee | \$450.00 | \$450.00 |
| 228 | Archdale Homebuilders II | 241 Plantation Drive | 11/15/2005 | Water Tap Fee | \$450.00 | \$450.00 |
| 229 | Carter | 224 Plantation Drive | 3/6/2006 | Water Tap Fee | \$450.00 | \$450.00 |
| 230 | Muir Custom Homes | 313 Plantation Drive | 6/23/2006 | Water Tap Fee | \$450.00 | walved |
| 231 | Carter | 227 Ridge Lake Drive | 8/8/2006 | Water Tap Fee | \$450.00 | \$450.00 |
| 232 | Ard, Mark/Stacy | 10 Lake Arbu Drive | 10/21/2006 | Water Tap Fee | \$450.00 | walved |
| 233 | | | | Water Tap Fee Total | \$37,850.00 | \$21,950.00 |
| 234 | | | | | | |
| 235 | Vanscoy | 115 Oak View | 8/1/2002 | Deposit | \$56.00 | refunded |
| 236 | Olszyk | 262 Ridge | 7/28/2003 | Deposit | \$56.00 | refunded |
| 237 | Abrell, Gregory | GR-60 | 8/22/2003 | Deposit | \$56.00 | refunded |
| 238 | Sosin | 844 Bentwood | 9/3/2003 | Deposit | \$56.00 | refunded |
| 239 | Wall, James | 858 Bentwood | 11/1/2003 | Deposit | \$56.00 | refunded |
| 240 | McCoy, Stephanie | GR-28 | 11/20/2003 | Deposit | \$56.00 | SC Treasurer |
| 241 | ACM Investment Co. | 1152 Warrens Way | 2/23/2004 | Deposit | \$56.00 | refunded |
| 242 | Davis, Joseph | 99 Ridge | 9/21/2004 | Deposit | \$56.00 | refunded |
| 243 | Bradley, John & Rosa | 117 Plantation | 12/9/2004 | Deposit | \$56.00 | refunded |
| 244 | | | | Deposit Total | \$504.00 | \$0.00 |
| 245 | | | | TOTAL UNAPPROVED/UNAUTHORIZED FEE OR CHARGE | \$44,355.36 | \$23,000.14 |
| 246 | | | | | | |
| 247 | | | | | | |
| 248 | | | | | | |
| 249 | | | | correction: | Customer account had already been credited | |
| 250 | | | | credited: | Amount inappropriately applied to customer account was credited to customer account | |
| 251 | | | | double counted: | Amount included on list is included on line 180 | |
| 252 | | | | refunded: | Refund issued to customer | |
| 253 | | | | SC Treasurer: | Amount owed to customer provided to the State due to inability to reach customer | |
| 254 | | | | walved: | Customer walved any monies due | |

Wyboo Plantation Utilities, Inc.

MAILING: PO BOX 2099

Sumter, SC 29151

Office: 803-774-2010

SHIPPING: 19 Broad Street

Sumter, SC 29151

FAX: (803) 774-2012

January 27, 2009

The Honorable Charles L. A. Terreni
Chief Clerk and Administrator
The Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, South Carolina 29210

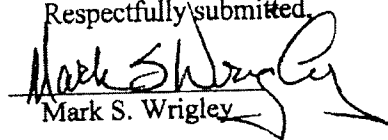
- RE: • Application of Mark S. Wrigley for Approval of the Sale of a Portion of the Assets of
Wyboo Plantation Utilities, Incorporated to Clarendon County
- Docket No. 2008-445-WS
 - Commitment to Personal Jurisdiction

Dear Mr. Terreni:

In compliance with Order Number 2008-852, issued in the above-referenced Docket and referencing Docket No. 2006-327-WS, I offer the following.

I, Mark S. Wrigley acknowledge that this Commission has personal jurisdiction over me in Docket No. 2006-327-WS. I further acknowledge that the assets of Wyboo Plantation Utilities, Inc. remains subject to Docket No. 2006-327-WS, until that Docket is resolved.

Respectfully submitted,


Mark S. Wrigley

SWORN TO BEFORE ME this
28 day of January, 2009.

 (L.S.)

Notary Public for S.C.

My Commission Expires 09-08-2010

cc: Nanette S. Edwards, Esquire
Richard L. Whitt, Esquire